

will reveal art to the other. Further, the classification of Groups I, II, and III claims in different classes and subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I, II, and III, a separate examination of the claims in Groups I, II, and III would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I, II, and III would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicant submits that for restriction to be effected between the claims in Groups I, II, and III, it would place an undue burden on Applicant's assignee by requiring payment of a separate filing fee for examination of the non-elected claims, as well as the added costs associated with prosecuting three applications and maintaining three patents.

The Patent Office further submits that this application contains claims directed to the following patentably distinct species of the claimed invention:

Base – claims 7, 19; claims 8, 20; and claims 9, 21, with claims 1-6, 10-18, and 22-26 being generic with respect to the type of base;

Non-fluorinated polymers – claims 2, 11, 14, 23, 24, and 26, with claims 2, 11, 14, 23, 24, and 26 being generic with respect to the type of non-fluorinated polymer; and

Base – claims 11, 23, and 26, with claims 2, 11, 14, 23, 24, and 26 being generic with respect to the type of base.

Applicant selects the following species without traverse on the condition that the Examiner searches the genus after the elected species has been found to be allowable over the art:

Base claim 7: metal hydroxide

Non-fluorinated polymer: functionalized polyolefins

Base claim 11: potassium hydroxide.

The restricted claims that are readable upon the species of the base of claim 7 are : claims 1-7 and 10.

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